



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit : 3744 Customer No.: 035811
Examiner : Barry Clayton McCraw
Serial No. : 10/681,475
Filed : October 8, 2003 Docket No.: 1288-03
Inventor : Michael R. DeLuca Confirmation No.: 7474
Title : REMOVABLE PROGRAMMABLE
: THERMOSTAT FOR AIR
: CONDITIONING AND HEATING
: SYSTEMS

Dated: February 2, 2006

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Certificate of Mailing Under 37 C.F.R. 1.8

For

Postcard
\$125.00 Check
Amendment Transmittal, in duplicate
Amendment
Amended Fig. 2(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to **Mail Stop Amendment**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date appearing below.

Name of Applicant, Assignee, Applicant's Attorney
or Registered Representative:

DLA Piper Rudnick Gray Cary US LLP
Customer No. 035811

By: _____ *TJ*

Date: _____ *2 FEB 2006*



Attorney Docket No.: 1288-03

Application of Michael R. DeLuca

Serial No.: 10/681,475

Filed: October 8, 2003

For: REMOVABLE PROGRAMMABLE THERMOSTAT FOR AIR CONDITIONING AND HEATING SYSTEMS

Mail Stop Amendment

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an Amendment in the above-identified application.

- Small entity status of this application under 37 CFR §1.9 and §1.27 has been established.
- A verified statement to establish small entity status under 37 CFR §1.9 and §1.27 is enclosed.
- No additional fee is required.

The fee has been calculated as shown below:

| (Col. 1) | (Col. 2) | (Col. 3) | SMALL ENTITY | OTHER THAN SMALL ENTITY |
|--|--|---------------------------------------|------------------|----------------------------|
| | CLAIMS REMAINING AFTER AMENDMENT | HIGHEST NO. PREVIOUSLY PAID FOR | PRESENT EXTRA | |
| TOTAL | * 21 | - **20 = | 1 | |
| INDEP. | * 5 | - ** 4 = | 1 | |
| Application Size Fee | | | | |
| First Presentation of Multiple Dependent Claim | | | | |
| TOTAL ADDITIONAL FEE | | | \$125.00 | \$_____ |
| | | | OR | OR |
| | | | RATE | RATE |
| | | | ADD'L FEE | ADD'L FEE |
| | | | x 25 = \$ 25.00 | x 50 = \$ |
| | | | x 100 = \$100.00 | x 200 = \$ |
| | | | \$ | x 250 = \$ |
| | | | + 180 = \$ | + 360 = \$ |

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

- Please charge my Deposit Account No. 50-2719 in the amount of \$_____. A duplicate copy of this sheet is enclosed.
- A check in the amount of \$125.00 is attached.
- The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-2719. A duplicate copy of this sheet is enclosed.

- Any filing fees under 37 CFR §1.16 for the presentation of extra claims.
- Any patent application processing fees under 37 CFR §1.17 with the exception of the Issue Fee which we intend to pay by check.

Respectfully submitted,



T. Daniel Christenbury
Reg. No. 31,750
Attorney for Applicant

TDC:lh
(215)656-3381



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| | | |
|------------|---|------------------------|
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AMENDMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Official Action dated December 1, 2005, the Applicant amends the Application as follows:

02/07/2006 BABRAHAI 00000018 10681475

01 FC:2202
02 FC:2201